

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION**

FELIPE CASTORENA,  
Institutional ID No. 2110927  
SID No. 4863987

Plaintiff,

v.

LORIE DAVIS-DIRECTOR TDCJ-CID, *et*  
*al.*,

Defendants.

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CIVIL ACTION NO. 1:18-CV-00010-C

**ORDER ACCEPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. No objections were filed.<sup>1</sup> The District Court made an independent examination of the record in this case and reviewed the Magistrate Judge's Report and Recommendation for plain error. Finding none, the Court **ACCEPTS** and **ADOPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate.

IT IS THEREFORE ORDERED that Defendant Davis' Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) is GRANTED, and Plaintiff's complaint and all remaining claims alleged therein are **DISMISSED** with prejudice.

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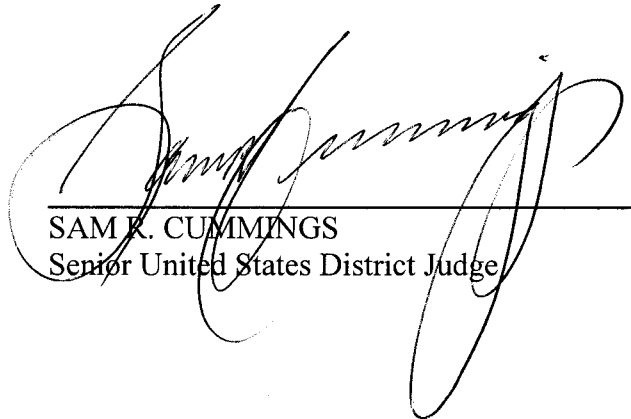
<sup>1</sup> Plaintiff did not file objections, but he filed a Motion for Appointment of Counsel on October 24, 2018, claiming that because he was transferred to a new prison facility he cannot continue his case without the assistance of an attorney. Plaintiff also appears to indicate that because of the timing of his transfer, he did not receive the Magistrate Judge's Report and Recommendation until October 12, 2018. Plaintiff does not otherwise mention or address the findings, conclusions, and recommendation of the Magistrate Judge.

All relief not expressly granted and any pending motions are denied.

Judgment shall be entered accordingly.

SO ORDERED.

Dated January 11, 2019.



SAM R. CUMMINGS  
Senior United States District Judge